



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Abad *et al.* Confirmation No.: 8411
Appl. No.: 10/606,320 Group Art Unit: Not yet assigned
Filed: June 25, 2003 Examiner: Not yet assigned
For: GENES ENCODING PROTEINS WITH PESTICIDAL ACTIVITY

January 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL CITATION UNDER 37 C.F.R. § 1.97

Attached is a list containing a document on form PTO-1449 together with a copy of said identified document. It is requested that the Examiner consider this document and officially make it of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed document, Applicant in no way makes any admission as to the prior art status of the listed document, but is instead submitting the listed document for the sake of full disclosure.

Applicant notes that the item of information listed on form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application. In addition, the communication from the foreign patent office was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Leigh W. Thorne
Registration No. 47,992

CERTIFICATE OF MAILING	
CUSTOMER NO. 29122 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 6, 2004 Lynda Jo Pixley

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 10/606,320
Filing Date June 25, 2003
First Named Inventor Abad *et al.*
Group Art Unit Not yet assigned
Examiner Name Not yet assigned
Attorney Docket Number 35718/263948

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	35	WO 03/018810	03-06-2003	Syngenta Biotechnology, Inc.		

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.